

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re: Asbestos Products Liability Litigation (No. VI); MDL 875

Regarding:
THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

GRADY HUMPHREYS, ET AL.)	
)	
PLAINTIFFS)	
)	
V.)	CIVIL ACTION NO. 2:07-607
)	
A.O. SMITH ELECTRICAL)	
PRODUCTS, CO., ET AL.)	
)	
DEFENDANTS)	

STATEMENT NOTING A PARTY'S DEATH – BOBBY ESSARY

In accordance with Rule 25(a), Borg-Warner Corporation by its Successor in Interest, BorgWarner Morse TEC, Inc.; Exteco, Inc. f/k/a Thermo Electric Co. Inc.; and The Marley-Wylain Company d/b/a Weil-McLain Company, Inc., who are Defendants to this action note the death during the pendency of this action of Plaintiff Bobby Essary on November 5, 2007. See Exhibit 1.

Respectfully submitted,

BORG-WARNER CORPORATION BY ITS
SUCCESSOR IN INTEREST, BORGWARNER
MORSE TEC, INC.; EXTECO, INC. F/K/A
THERMO ELECTRIC CO. INC.; and THE
MARLEY-WYLAIN COMPANY D/B/A WEIL-
MCLAIN COMPANY, INC.

s/ Rocky W. Eaton
COUNSEL FOR SAID DEFENDANT

Of Counsel:

Rocky W. Eaton, EAT002

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Hattiesburg, MS 39401
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CERTIFICATE OF SERVICE

I hereby certify that I have on this 4th day of April, 2008 served a copy of the above and foregoing by electronic means via the CM/ECF to those registered with the CM/ECF.

s/ Rocky W. Eaton

Exhibit 1



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Social Security Death Index Search Results






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last updated on 2-22-2008

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Field	Value	Records	Results
Last Name	ESSARY	863	863
First Name	BOBBY	46407	5

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Name	Birth	Death	Last Residence	Last Benefit	SSN	Issued	Tools	Order Record?
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SS-5 Letter Add Post-em Search Ancestry.com	
BOBBY D ESSARY	[REDACTED] 1940	05 Nov 2007 (V)	35458 (Elrod, Tuscaloosa, AL)	(none specified)	[REDACTED]-4450	Alabama	SS-5 Letter Add Post-em Search Ancestry.com	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	SS-5 Letter Add Post-em Search Ancestry.com	

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(V)=(Verified) Report verified with a family member or someone acting on behalf of a family member.
(P)=(Proof) Death Certificate Observed.